

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	21cv10260 (DLC)
GOOGLE LLC,	:	
	:	PRETRIAL
Plaintiff,	:	<u>SCHEDULING ORDER</u>
	:	
-v-	:	
	:	
DMITRY STAROVIKOV, ALEXANDER FILIPPOV,	:	
and DOES 1-15,	:	
Defendants.	:	
	:	
-----	X	

DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed. R. Civ. P., on June 1, 2022, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. The parties shall submit a letter to the Court by **June 3, 2022** providing the location at which the defendants will be deposed, or explaining the parties' positions if agreement on a location could not be reached.
2. The parties shall comply with their Rule 26(a)(1), Fed. R. Civ. P., initial disclosure obligations by **June 10, 2022**.
3. No additional parties may be joined or pleadings amended after **July 29, 2022**.
4. No additional causes of action or defenses may be asserted after **July 29, 2022**.
5. The parties are instructed to contact the chambers of Magistrate Judge Valerie Figueredo prior to **June 3, 2022** in order to pursue settlement discussions to occur in **July** or **August, 2022** under her supervision.
6. All fact discovery must be completed by **September 30, 2022**.
7. Expert reports and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed. R.

Civ. P., by the party bearing the burden on an issue must be served by **November 4, 2022**. Identification of rebuttal experts and disclosure of their expert testimony must occur by **December 9, 2022**. Identification of reply experts and disclosure of their expert testimony must occur by **January 6, 2023**.

8. The Joint Pretrial Order must be filed by **February 17, 2023**.

As described in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Proposed Findings of Fact and Conclusions of Law and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. In the event a party does not file a Memorandum of Law, a responsive Memorandum of Law should not be submitted unless in reply to an unanticipated legal argument in the other party's Memorandum of Law. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at the time of filing.

All direct testimony except for testimony of an adverse party, a person whose attendance must be compelled by subpoena, or a witness for whom a party has requested and the Court has agreed to hear the direct testimony at trial, shall be submitted by affidavits served, **but not filed**, with the Joint Pretrial Order.

Those portions of depositions that are being offered as substantive evidence, along with a one-page synopsis (with transcript citations) of such testimony for each deposition, shall be exchanged at the time the Pretrial Order is filed.

Three days after submission of the affidavits, counsel for each party shall submit a list of all affiants that he or she intends to cross-examine at the trial. Affiants for whom such notice is not given are not required to be present at trial.

At the time the above-described documents are filed or served, Counsel will provide the Court with one (1) electronic set of all exhibits, one (1) hardcopy of key

exhibits, and two (2) courtesy copies of all other documents at the time they are served. Counsel will also provide the Court with one (1) hardcopy of the depositions, as described above. Counsel shall send the electronic versions to the Court's Chambers email: Cotenysdchambers@nysd.uscourts.gov. The case name, case number, and email contents should be clearly set forth in the email's subject line.

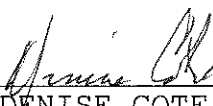
9. IT IS HEREBY ORDERED that the trial will begin at 9:30 a.m. on **March 14, 2023**.

IT IS FURTHER ORDERED that the following procedures shall govern the conduct of the trial.

1. All exhibits must be pre-marked and assembled sequentially in a digital folder labelled with the exhibit numbers for ready reference.
2. In advance of the trial, each party will send a complete list of exhibits to the Court's Chambers email: Cotenysdchambers@nysd.uscourts.gov. The list of exhibits should include witness affidavits and charts or summaries of evidence. The case name, case number, and email contents should be clearly set forth in the email's subject line.
3. Testimony will generally be taken between 9:30 and 5:00 from Monday through Thursday. There will be a mid-morning, a mid-afternoon and a lunch break from 12:45 to 2:00 p.m.
4. Counsel should make certain that they have custody of all original exhibits. The Court does not retain them and the Clerk is not responsible for them.

SO ORDERED:

Dated: New York, New York
June 1, 2022



DENISE COTE
United States District Judge